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FILED

MAR 15 2010

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

UTAH CHAPTER OF THE SIERRA CLUB,
et al.,

Petitioners,

Docket No. 2009-019
Cause No. C/025/0005

DIVISION OF OIL, GAS AND MINING,

Respondent, and

ALTON COAL DEVELOPMENT, LLC, and
KANE COUNTY, UTAH,

Intervenors-Respondents.

PETITIONERS' FIRST AMENDED PRELIMINARY WITNESS LIST

Pursuant to Utah Administrative Code R641-108-900 and the Board's Order for Discovery,
Utah Chapter of the Sierra Club ("Sierra Club"), Southern Utah Wilderness Alliance ("SUWA"),

Natural Resources Defense Council (“NRDC”), and National Park Conservation Association (“NPCA”)(collectively, “Petitioners”) hereby advise all parties to this proceeding that they **will call** the following witnesses to testify at the Board's hearing in the above-captioned matter:

Elliott W. Lips
Principal Engineering Geologist
Great Basin Earth Science, Inc.
2241 E. Bendemere Circle
Salt Lake City, Utah 84109;

Charles H. Norris
Geo-Hydro, Inc.
1928 E. 14th Avenue
Denver, Colorado 80206;

Ray Bloxham
1568 East Downington Avenue
Salt Lake City, Utah 84105;

and

Roberta Bryant
6010 S. Elkhorn Road
Panguitch, Utah 84759.

In addition, Petitioners **may call** the following as adverse witnesses:

John Baza
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116

Dana Dean
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116

Patricia Burton
Division of Oil, Gas and Mining
319 N. Carbonville Rd #C
Price, Utah 84501-2351

April Abate
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116;

and

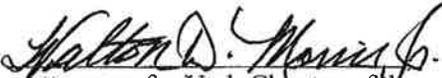
Jim Smith
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116.

This list is preliminary. In light of assertions that the Division and ACD have made in their respective depositions, Petitioners are identifying potential witnesses on several factual issues. Any additional witnesses will be disclosed as soon as Petitioners discover them. Moreover, Petitioners expressly advise the parties that they may call expert or fact witnesses not named above in rebuttal to evidence presented by any opposing party.

Dated: March 11, 2010

Respectfully submitted,

By:


Attorneys for Utah Chapter of the
Sierra Club, *et al.*

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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of March, 2010, I served a true and correct copy of **PETITIONERS' FIRST AMENDED PRELIMINARY WITNESS LIST** to each of the following persons via e-mail transmission and United States first-class mail, postage pre-paid:

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